



Oliff & Berridge, PLC
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In re Application of	:	
Hamberger et al.	:	
Application No.: 10/030,636	:	DECISION
PCT No.: PCT/DE00/01844	:	
Int. Filing Date: 07 June 2000	:	ON
Priority Date: 07 June 1999	:	
Attorney Docket No.: 111717	:	PETITION
For: A Parquet Strip, The Use Thereof For Manu-	:	
facturing A Panel Or A Parquet Element As	:	
Well As A Parquet Element Manufactured...	:	

This is a decision on applicant's "Petition For Corrected Notification Of Acceptance Of Application" filed on 11 November 2002.

BACKGROUND

In a decision on petition mailed on 29 March 2002, Applicants were advised that the declaration filed on 11 January 2002 was defective because it was illegible. Applicants were required to furnish a legible, properly executed declaration.

Also on 29 March 2002, applicants filed an executed declaration of the inventors.

On 26 April 2002, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicants, requiring the submission of an executed oath or declaration and a surcharge under 37 CFR 1.492(e).

On 24 May 2002, a Notice of Acceptance (Form PCT/DO/EO/903) was mailed to applicants, indicating that the 35 U.S.C. 371(c)(1), (2) and (4) date of this application is 29 March 2002.

DISCUSSION

Counsel requests a corrected Notice of Acceptance "in view of the error which appears in the original. The original incorrectly identifies the date of receipt of all requirements as March 29, 2002. The correct date should be January 11, 2002, the date that the executed Declaration was filed." Review of the record reveals that, in the Decision on Petition mailed on 29 March 2002, Applicants were advised that the declaration filed on 11 January 2002 was defective because it is illegible. On that same date, Applicants filed a legible, executed declaration of the inventors. Since the date that the requirements of 35 U.S.C. 371(c)(1), (2) and (4) were satisfied in this application was the date that an acceptable

declaration was received (29 March 2002), the indication of the "filing date" on the Notice of Acceptance is correct.

DECISION

The petition is **DISMISSED**, without prejudice, for the reasons described above.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time are available under 37 CFR 1.136(a). Failure to timely file a proper response will result in **ABANDONMENT** of the application.

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Mail Stop PCT, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the PCT Legal Office.



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